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11 Attorneys for Plaintiff and Counterclaim Defendant

12 LOTES CO., LTD.

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

17 LOTES CO., LTD., a Taiwan Corporation,

18 Plaintiff and Counterclaim Defendant,

19 v.

20 HON HAI PRECISION INDUSTRY CO.,  
21 LTD., a Taiwan Corporation, and FOXCONN  
ELECTRONICS, INC., a California  
22 Corporation,

23 Defendants and Counterclaimants.

Case No. 3:11-cv-01036-WHA

**STIPULATION AND ORDER  
DISMISSING COMPLAINT AND  
COUNTERCLAIMS**

The Hon. William Alsup  
United States District Judge

1 Plaintiff Lotes Co. Ltd. and Defendants Hon Hai Precision Industry Co. Ltd. and Foxconn  
2 Electronics, Inc. (the "Parties") have reached an agreement to settle the claims and counterclaims  
3 before the Court in this case. Pursuant to that settlement agreement and Rule 41(a)(1)(A)(ii) of the  
4 Federal Rules of Civil Procedure, the Parties stipulate to the dismissal of the claims and  
5 counterclaims at issue in this case as follows:

6 1. Plaintiff Lotes Co. Ltd.'s first, seventh, and eighth causes of action as identified in  
7 its Third Amended Complaint [ECF No. 248] shall be dismissed WITH PREJUDICE;

8 2. Plaintiff Lotes Co. Ltd.'s second, third, fourth fifth and sixth causes of action as  
9 identified in its Third Amended Complaint [ECF No. 248] shall be dismissed WITHOUT  
10 PREJUDICE;

11 3. Each of Defendants Hon Hai Precision Industry Co. and Foxconn Electronics,  
12 Inc.'s counterclaims [ECF No. 440] shall be dismissed WITH PREJUDICE.

13 **SO STIPULATED.**

14 Dated: January 19, 2018

15 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

16 By /s/ James M. Chadwick  
17 JAMES M. CHADWICK  
18 Attorneys for Plaintiff and Counterclaim  
19 Defendant LOTES CO., LTD.

20 Dated: January 19, 2018

21 ORRICK, HERRINGTON & SUTCLIFFE LLP

22 By /s/ Mark P. Wine  
23 MARK P. WINE  
24 Attorneys for Defendants and Counterclaim  
25 Plaintiffs HON HAI PRECISION INDUSTRY  
26 CO., LTD. and FOXCONN ELECTRONICS,  
27 INC.  
28

**ATTORNEY'S E-FILING ATTESTATION**

As the attorney e-filing this document, and pursuant to General Order 45, I hereby attest that counsel for Defendants/Counterclaimants whose electronic signature appears above has concurred in this filing.

Dated: January 19, 2018

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By /s/ James M. Chadwick  
JAMES M. CHADWICK  
Attorneys for Plaintiff and Counterclaim  
Defendant LOTES CO., LTD.

**ORDER**

Based upon the stipulation of the parties and the Court's familiarity with this action, and good cause appearing,

1. Plaintiff Lotes Co. Ltd.'s first, seventh, and eighth causes of action as identified in its Third Amended Complaint [ECF No. 248] is hereby dismissed WITH PREJUDICE;

2. Plaintiff Lotes Co. Ltd.'s second, third, fourth fifth and sixth causes of action as identified in its Third Amended Complaint [ECF No. 248] is hereby dismissed WITHOUT PREJUDICE;

3. Each of Defendants Hon Hai Precision Industry Co. and Foxconn Electronics, Inc.'s counterclaims [ECF No. 440] is hereby dismissed WITH PREJUDICE.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_ 2017

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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE